

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
FIFTY-SEVENTH LEGISLATURE

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**SIXTY-FIRST LEGISLATIVE DAY**  
**FRIDAY, MARCH 7, 2003**

Senate Chamber

President Risch called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Brandt, Malepeai, Sorensen, Stegner, and Stennett, absent and excused.

Prayer was offered by Acting Chaplain Montie Ralstin, Jr., Pastor, Boise Valley Christian Communion, Boise, Idaho.

The Pledge of Allegiance was led by Susan Blaisdell, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 6, 2003, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

Senators Brandt, Sorensen, Stegner, and Stennett were recorded present at this order of business.

March 6, 2003

The JUDICIARY AND RULES Committee reports that **S 1144**, **S 1145**, **S 1146**, **S 1147**, and **S 1148** have been correctly printed.

DARRINGTON, Chairman

**S 1144**, **S 1145**, **S 1146**, and **S 1147** were referred to the Finance Committee.

**S 1148** was referred to the Commerce and Human Resources Committee.

March 6, 2003

The JUDICIARY AND RULES Committee reports that **S 1031** and **S 1112** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1031** and **S 1112** and ordered them transmitted to the House for the signature of the Speaker.

March 6, 2003

The JUDICIARY AND RULES Committee reports that Enrolled **S 1026** was delivered to the Office of the Governor at 2:15 p.m., March 6, 2003.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 6, 2003

The EDUCATION Committee reports out **S 1134** with the recommendation that it do pass.

SCHRODER, Chairman

**S 1134** was filed for second reading.

March 7, 2003

The TRANSPORTATION Committee reports out **H 229** and **H 231** with the recommendation that they do pass.

INGRAM, Chairman

**H 229** and **H 231** were filed for second reading.

March 7, 2003

The FINANCE Committee reports out **S 1144**, **S 1145**, **S 1146**, and **S 1147** with the recommendation that they do pass.

CAMERON, Chairman

**1144**, **S 1145**, **S 1146**, and **S 1147** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

March 6, 2003

Mr. President:

I transmit herewith **H 329** which has passed the House.

JUKER, Chief Clerk

**H 329** was filed for first reading.

March 6, 2003

Mr. President:

I transmit herewith Enrolled **HCR 23**, **HCR 18**, **HCR 19**, **H 22**, **H 162**, **H 164**, and **H 165** for the signature of the President, and I return herewith Enrolled **S 1071**, **S 1054**, **S 1055** and **SJM 101**, which have been signed by the Speaker.

JUKER, Chief Clerk

The President signed Enrolled **HCR 23**, **HCR 18**, **HCR 19**, **H 22**, **H 162**, **H 164**, and **H 165** and ordered them returned to the House.

Enrolled **S 1071**, **S 1054**, and **S 1055** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SJM 101** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that **SCR 106**, having been held, was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

Moved by President Pro Tempore Geddes, seconded by Senator Davis, that **SCR 106** be adopted.

Roll call vote was requested by President Pro Tempore Geddes, and Senators Davis and Stennett.

The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Bailey, Brandt, Bunderson, Burtenshaw, Cameron, Compton, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Keough, Little, Lodge, McKenzie, Noble, Pearce, Richardson, Sorensen, Stegner, Sweet, Williams. Total - 23.

NAYS--Andreason, Burkett, Calabretta, Darrington, Kennedy, Malepeai, Marley, McWilliams, Noh, Schroeder, Stennett, Werk. Total - 12.

Total - 35.

The President declared **SCR 106** adopted, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1149

##### BY FINANCE COMMITTEE

##### AN ACT

REDUCING THE GENERAL FUND APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2003; APPROPRIATING ADDITIONAL DEDICATED MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2003; AND DECLARING AN EMERGENCY.

##### S 1150

##### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2003; APPROPRIATING MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2004; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING THE TRANSFER OF FUNDS ON JUNE 30, 2003; AND DECLARING AN EMERGENCY FOR SECTIONS 1 AND 4 OF THIS ACT.

##### S 1151

##### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2004; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS TO THE WATER RESOURCES ADJUDICATION FUND.

##### S 1152

##### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING MONEYS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2004; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1149**, **S 1150**, **S 1151**, and **S 1152** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**H 329**, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

**H 127** and **H 129**, by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

**H 35**, **H 43**, and **H 46**, by Mr. Speaker, were read the second time at length and filed for third reading.

**S 1140**, **S 1141**, and **S 1142**, by Finance Committee, were read the second time at length and filed for third reading.

**S 1136** and **S 1137**, by State Affairs Committee, were read the second time at length and filed for third reading.

**H 268**, **H 267**, **H 260**, and **H 246**, by State Affairs Committee, were read the second time at length and filed for third reading.

**H 256**, as amended, and **H 257**, by Ways and Means Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### **Third Reading of Bills**

On request by Senator Davis, granted by unanimous consent, **S 1143** was moved to the head of the Third Reading Calendar.

**S 1143** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bailey, Brandt, Burtenshaw, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Keough, Little, Lodge, McKenzie, Noble, Pearce, Richardson, Sweet, Williams. Total - 19.

NAYS--Andreason, Bunderson, Burkett, Calabretta, Davis, Ingram, Kennedy, Malepeai, Marley, McWilliams, Noh, Schroeder, Sorensen, Stegner, Stennett, Werk. Total - 16.

Total - 35.

Whereupon the President declared **S 1143** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:55 p.m. until the hour of 8:30 a.m., Monday, March 10, 2003.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary